

Timothy Sampson, #266802,
a/k/a Timothy R. Sampson,

Plaintiff,

vs.

Earl Hood, Warden, et al.,

Defendants.

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) Civil Action No. 6:07-1518-RBH-WMC
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) **REPORT OF MAGISTRATE JUDGE**
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As the plaintiff is proceeding *pro se*, the court filed a second order on October 30, 2007, giving the plaintiff through November 26, 2007, to file his response to the motion for summary judgment. The plaintiff was specifically advised that if he failed to respond, this action would be dismissed for failure to prosecute. The plaintiff elected not to respond.

Based on the foregoing, it appears the plaintiff no longer wishes to pursue this action. Accordingly, it is recommended that this action be dismissed for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989), *cert. denied*, 493 U.S. 1084 (1990).

December 5, 2007
Greenville, South Carolina